

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|---------------------|---|----------------------------------|
| GERALD F. RICHARDS, |) | |
| Plaintiff |) | |
| |) | |
| v. |) | CIVIL ACTION NO. 04-CV-40054-FDS |
| |) | |
| SOUTHBRIDGE POWER & |) | |
| THERMAL, LLC, |) | |
| Defendant |) | |

PLAINTIFF'S MOTION TO FURTHER EXTEND NISI DISMISSAL PERIOD
(ASSENTED-TO)

The plaintiff hereby respectfully moves to further extend the Nisi Dismissal period in the above matter for an additional period of thirty (30) days, from February 1, 2006 to March 1, 2006. As grounds therefor, the plaintiff states that although the parties have agreed to resolve this matter, the plaintiff is in the process of finalizing necessary elements of the settlement, including negotiation of outstanding liens. The plaintiff expects to be able to resolve this matter within the next several weeks and therefore requests a brief further extension of the Nisi Dismissal period. The defendant assents to this motion.

WHEREFORE, the plaintiff respectfully requests that the Nisi Dismissal period be extended to March 1, 2006.

Respectfully submitted,

Assented to:

The plaintiff,
By his Attorneys,

The defendant,
By its Attorneys,

KECHES & MALLIN, P.C.

BOYLE, MORRISSEY & CAMPO

/s/ Charlotte E. Glinka
CHARLOTTE E. GLINKA
BBO # 559117
122 Dean Street
Taunton, MA 02780
(508) 822-2000

/s/ Keith L. Sachs
KEITH L. SACHS
BBO # 634025
695 Atlantic Avenue
Boston, MA 02111
(617) 451-2000

DATED: January 31, 2006
Mot-ExtNisi2

CERTIFICATE OF SERVICE

I, Charlotte E. Glinka, of Keches & Mallen, P.C., counsel for the plaintiff, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated a non-registered participants on January 31, 2006.

/s/ Charlotte E. Glinka

CHARLOTTE E. GLINKA

Certsvc4/dkd